

Before the
Federal Communications Commission
Washington D.C. 20554

In the Matter of:)	
)	
Notice of Proposed Rulemaking and)	
Order)	
Reply)	<u>WP Docket No. 07-</u>
	<u>100</u>)	
)	

To: The Chief, Wireless Telecommunications Bureau,
Via The Office of the Secretary

Reply Comments

1) DuPage Public Safety Communications (Du-Comm), is an association of units of

local government, as they are defined in Article VII, Section 1, of the Constitution of The

State of Illinois, 1970, and is a "Public Agency" as defined in the Intergovernmental

Cooperation Act, 5 ILCS 220/2 (1), that is voluntarily established by its members pursuant

to Article VII, Section 10, of the Constitution of The State of Illinois, 1970, and the

Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq.

2) Du-Comm is also a Regional Public Safety Answering Point, (PSAP), providing

Emergency 911 Telephone Services for approximately 66% the residents of DuPage

County, in Illinois, serving an estimated population of 670,000 persons.

3) As such, Du-Comm provides Emergency Radio Dispatch and Data Base

Management Services for 27 Police and Fire / EMS Agencies, and MABAS Division 12.

4) DuPage Public Safety Communications (Du-Comm), hereby respectfully submits

for consideration, a change in 47 CFR § 90.733 (B)(3)(d), which states, in part:

(d) Licensees, except for licensees authorized on Channels 161 through 170 and 181 through 185, may combine any number of their authorized, contiguous channels (including channels derived from multiple authorizations) to form channels wider than 5 kHz.

5) Du-Comm notes that, per 47 CFR § 90.717(c), “Channels 111-115 and 116-120 are 5

channel blocks available for Government nationwide use only.

6) Du-Comm notes that, 47 CFR § 90.719 states, in part:

(c) Channels 181 through 185 are set aside in Phase II for emergency medical use for applicants that meet the eligibility criteria of Sec. 90.20(a)(1)(iii) or Sec. 90.20(a)(2)(xiii).

(d) Channels 161 through 170 and 181 through 185 are the only 220-222 MHz channels available to Phase II non-nationwide, Government users. [62 FR 15994 , Apr. 3, 1997, as amended at 62 FR 18936 , Apr. 17, 1997]

7) Du-Comm notes that, Per 47 CFR § 90.733 (B)(3)(d), the channels available

for Nation-Wide use by Governmental Entities, (Channels 111-115 and 116-120)

fall within the group of channels which may be aggregated.

8) Du-Comm notes that, Channels 161-170 and 181-185 are the only 220-220

MHz channels available to ... non-nationwide Government users, and Per 47 CFR §

90.733 (B)(3)(d), may not be aggregated.

9) Du-Comm feels that the creation of two blocks of “Governmental Agency

Only Channels” within the SAME Frequency Band, with two different sets of

operating parameters, serves no present day purpose, is confusing, and is

discriminatory against Regional Governmental Agencies that do not qualify for

Nation-Wide Licenses.

10) Du-Comm further feels that 47 CFR § 90.733 (B)(3)(d), creates the existence

of two standards for the same 220-222 MHz Band, and thereby seriously, limits the

development of the 220-222 Band for Inter-Agency use in Nation-Wide responses,

such as the recent Katrina Hurricane Response, where, at any one point in the

recovery effort, approximately 600 Illinois Fire and EMS Personnel were On-Station and working.

(Ref: www.warrenvillefire.com/Assets/MABAS_Update.pdf)

11) Du-Comm further feels that the prohibition of the aggregation of channels

in the Non-Nationwide Channel blocks of 161 to 170 and 181 to 185 as required by

47 CFR § 90.733 (B)(3)(d), eliminates the possibility of using these frequencies in the

220-222 MHz band to communicate with National Guard, Coast Guard, and

Military Forces in time of Regional or National Emergency, where National Guard

or other Military Personnel may be called in to augment local relief efforts.

12) Du-Comm notes that Common off the Shelf (COTS) Radios such as The U.S.

Military / National Guard “Multi – Band Inter / Intra Team Radio” (MBITR), The

PRC-6809 can be easily programmed to operate in the 220-222 MHz Band for

Inter-Operability with Local Agencies, but cannot be used to communicate with

Agencies occupying the Channels 161 to 170 and 181 to 185 because their emissions

cannot be confined to a SINGLE 5 KHz Channel.

Ref: <https://secure.thalescomminc.com/datasheets/ClearMBITR-s.pdf>

13) Du-Comm notes that COTS Radios such as the MBTR Radio CAN be operated on aggregated channels in the “Nation Wide” Block of Channels 111-115

and 116-120, however, these channels cannot be used by National Guard Units to

communicate with Local Governmental Entities who do not qualify for “Nation-

Wide Licenses”.

14) Du-Comm notes that the prohibition of the aggregation of channels in

the Channel groups 161 to 170 and 181 to 185, as required by 47 CFR § 90.733

(B)(3)(d), forces licensees of the channel groups Channel groups 161 to 170 and 181

to 185 to use a communications format that contains its emissions within a SINGLE

5 KHz, channel space, but unfairly frees all other licensees operating on 220-222

MHz Frequency Band from this burden by permitting the aggregation of their

contiguous channels.

15) Du-Comm notes that the ONLY surviving voice communications protocol

compatible with the 5 KHz channel bandwidth limitation, (ACSB), is an obsolete

technology, for which there is no known equipment that is in current production, or

that is known to be under current development.

16) DuPage Public Safety Communications (Du-Comm), therefore, hereby respectfully

submits its Request for The Commission to revise 47 CFR § 90.733 (B)(3)(d), to state, in part:

(d) Licensees may combine any number of their authorized, contiguous channels (including channels derived from multiple authorizations) to form channels wider than 5 kHz.

Respectfully Submitted,

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